



Daniel F. Caruso  
Chairman

# STATE OF CONNECTICUT

## CONNECTICUT SITING COUNCIL

Ten Franklin Square, New Britain, CT 06051


Phone: (860) 827-2935 Fax: (860) 827-2950

E-Mail: [siting.council@ct.gov](mailto:siting.council@ct.gov)

Internet: [ct.gov/csc](http://ct.gov/csc)

July 14, 2008

TO: Council Members

FROM: S. Derek Phelps, Executive Director 

RE: **PETITION NO. 784MR** – Plainfield Renewable Energy, LLC petition for a declaratory ruling no Certificate of Environmental Compatibility and Public Need is required for the proposed construction, maintenance, and operation of a 37.5 MW Wood Biomass Generating Project, Plainfield, Connecticut.

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Enclosed please find a copy of the Council's notice of public hearing.

SDP/RDM/cm

Enclosure (1)

c: Secretary of the State  
Robert L. Marconi, Assistant Attorney General  
Parties and Intervenors  
The Honorable Paul E. Sweet, First Selectman, Town of Plainfield  
Gloria Rizer, Planning & Zoning Chairman, Town of Plainfield  
The Honorable Brian H. Sear, First Selectman, Town of Canterbury  
Darlene Gannon, Zoning Enforcement Officer, Town of Canterbury  
John A. Tetreault, Chairman of IWWC, Town of Canterbury  
Steven Orlomoski, Friends of the Quinebaug River  
Margaret Miner, Executive Director, Rivers Alliance of Connecticut  
Robert Noiseux  
Karl Wagener, Council on Environmental Quality



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### HEARING NOTICE

Pursuant to the provisions of General Statutes §§ 4-181a(b), 4-176, and 16-50m and Section 16-50j-21 of the Regulations of Connecticut State Agencies, notice is hereby given that the Connecticut Siting Council (Council) will conduct a public hearing on Thursday, August 14, 2008, designated as 784MR, beginning at 1:00 p.m., at the offices of the Connecticut Siting Council, Ten Franklin Square, New Britain, Connecticut, in Hearing Room One, regarding the Council's declaratory ruling that no Certificate of Environmental Compatibility and Public Need is required for the proposed construction, maintenance, and operation of a 37.5 megawatt wood biomass electric generating facility in Plainfield, Connecticut, issued by the Council on June 7, 2007, as Petition No. 784.

This hearing is being held pursuant to Connecticut General Statutes § 4-181a(b) to hear evidence as to whether conditions have changed such that the Council should conduct further proceedings to examine whether its original decision should be reversed or modified.

Under Connecticut General Statutes § 4-181a(b), the Council must first consider whether changed conditions exist, and, if so, whether such conditions constitute a basis sufficient to hold further proceedings to consider whether such changes, if any, justify reversing or otherwise modifying the Council's original decision. (See the court cases of Town of Fairfield v. Connecticut Siting Council, 238 Conn. 361 (1996), and Sielman v. Connecticut Siting Council, 2004 WL 203046 (2004) for guidance as to the nature of this hearing). This hearing session will provide the applicant, parties, and intervenors and any additional participants an opportunity to submit testimony, evidence and to cross-examine positions and present legal arguments. The applicant will be allowed a final rebuttal. Arguments will also be entertained in writing after the close of the last hearing session.

Applicable law for this proceeding includes the Public Utility Environmental Standards Act, General Statutes § 4-183(b), § 16-50g, et seq., and Sections 16-50j-1 through 16-50v-1a of the Regulations of Connecticut State Agencies.

The Council will hold a pre-hearing conference on procedural matters on Monday, July 28, 2008, beginning at 10:00 a.m. at the Council's office, 10 Franklin Square, New Britain, Connecticut.



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The Council directs that all testimony and exhibits be pre-filed with the Council and all parties and intervenors and any other person or organization on the Council's service list by August 7, 2008. In accordance with the State Solid Waste Management Plan, the Council requests that all filings be submitted on recyclable paper, primarily regular weight white office paper. Please avoid using heavy stock paper, colored paper, and metal or plastic binders and separators.

Any person not already named or admitted as a party or intervenor to the proceeding may file a written notice of intent to participate in this hearing at the office of the Connecticut Siting Council, 10 Franklin Square, New Britain, Connecticut 06051, on or before August 7, 2008. All such persons will be added to the service list in this case. Please note, however, that since the Council has not reopened the proceeding to permit additional parties or intervenors to be admitted, it is permitting members of the general public to be participants, present a case, and cross-examine witnesses for only the limited purpose of this hearing, provided a notice of intent has been filed before the due date. Parties and intervenors and other participants will be allowed to submit briefs and proposed determinations within 30 days after the close of the hearing.

Any other person may file a written statement with the Council at the hearing or any time up to 30 days thereafter. Such statements will become part of the record of this hearing. No written statement or any other material, evidence, or other information will be accepted after 30 days following the close of the hearing, except as otherwise prescribed by law or the Council.

A verbatim transcript of the hearing session(s) will be made and deposited with the Town Clerk's Office of the Plainfield Town Hall and the Canterbury Town Hall for the convenience of the public.

Requests for information in alternative formats or for sign-language interpreter services must be submitted in writing by August 7, 2008.

The applicant of this facility is represented by the following:

**Applicant**

Plainfield Renewable Energy LLC

**Its Representative**

Daniel Donovan, Vice President  
Plainfield Renewable Energy LLC  
20 Marshall Street, Suite 300  
Norwalk, CT 06854

Bruce L. McDermott  
Wiggin and Dana LLP  
One Century Tower  
New Haven, CT 06508-1832

The Council has designated this limited proceeding petition no. 784MR which is available for review at the Council's office during office hours at 10 Franklin Square, New Britain, Connecticut, (860) 827-2935.

July 14, 2008

Connecticut Siting Council

**LIST OF PARTIES AND INTERVENORS**  
**SERVICE LIST**

Status Granted	Status Holder (name, address & phone number)	Representative (name, address & phone number)
<b>Applicant</b>	Plainfield Renewable Energy LLC	<p>Daniel Donovan, Vice President  Plainfield Renewable Energy LLC  20 Marshall Street, Suite 300  Norwalk, CT 06854  (203) 354-1529  (203) 549-0596 fax  <a href="mailto:ddonovan@prelic.net">ddonovan@prelic.net</a></p> <p>Bruce L. McDermott  Wiggin and Dana LLP  One Century Tower  New Haven, CT 06508-1832  (203) 498-4400  (203) 782-2889 fax  <a href="mailto:bmcdermott@wiggin.com">bmcdermott@wiggin.com</a></p>
<b>Intervenor (granted 11/14/06)</b>	The Connecticut Light and Power Company (CL&P)	<p>Paul Sousa  Senior Engineer – Transmission Interconnections  Northeast Utilities Service Company  P.O. Box 270  Hartford, CT 06141-0270  (860) 665-2481  <a href="mailto:sousapm@nu.com">sousapm@nu.com</a></p> <p>Kathleen A. Shea  Associate Counsel  Northeast Utilities Service Company  P.O. Box 270  Hartford, CT 06141-0270  (860) 665-3395  (860) 665-5504 fax</p> <p>Anthony M. Fitzgerald, Esq.  Carmody &amp; Torrance LLP  P.O. Box 1950  195 Church Street, 18<sup>th</sup> floor  New Haven, CT 06509-1950  (203) 777-5501  (203) 784-3199  <a href="mailto:afitzgerald@carmodylaw.com">afitzgerald@carmodylaw.com</a></p>

Date: November 15, 2006

Petition No. 784

Page 2 of 2

**LIST OF PARTIES AND INTERVENORS**  
**SERVICE LIST**

<b>Status Granted</b>	<b>Status Holder (name, address &amp; phone number)</b>	<b>Representative (name, address &amp; phone number)</b>
	CL&P continued...	Robert S. Golden, Jr. Carmody & Torrance LLP P.O. Box 1110 50 Leavenworth Street Waterbury, CT 06721-1110 rgolden@carmodylaw.com



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July 14, 2008

Ruth Girolomo  
Post Reporting Service, Inc.  
2015 Dixwell Avenue  
Hamden, CT 06514

RE: **PETITION NO. 784MR** – Plainfield Renewable Energy, LLC petition for a declaratory ruling no Certificate of Environmental Compatibility and Public Need is required for the proposed construction, maintenance, and operation of a 37.5 MW Wood Biomass Generating Project, Plainfield, Connecticut.

Dear Ms. Girolomo:

Your attendance will be required at a hearing of the Connecticut Siting Council (Council) regarding the subject petition on:

**Thursday, August 14, 2008**

**1:00 p.m.**

**Connecticut Siting Council**

**Hearing Room 1**

**10 Franklin Square**

**New Britain, Connecticut**

The Council will require delivery of the complete transcript, an original and one copy, within one week of the hearing. I am enclosing a copy of our hearing notice for your convenience. If you have any questions concerning this matter, please call me.

Very truly yours,

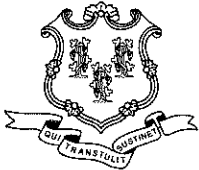
Carriann Mulcahy  
Secretary II

cm

Enclosure



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July 14, 2008

TO: Classified/Legal Supervisor  
**784061116**  
Norwich Bulletin  
66 Franklin Street  
Norwich, CT 06360

FROM: Carriann Mulcahy, Secretary II 

RE: **PETITION NO. 784MR** – Plainfield Renewable Energy, LLC petition for a declaratory ruling no Certificate of Environmental Compatibility and Public Need is required for the proposed construction, maintenance, and operation of a 37.5 MW Wood Biomass Generating Project, Plainfield, Connecticut.

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Please publish the attached legal notice for one day on the first day possible from receipt of this notice, except on Saturday, Sunday, or holiday.

Pursuant to General Statutes § 16-50m(c), the general notice to be public shall be published in its entirety in not less than **TEN POINT BOLDFACE TYPE**. If you have any questions concerning the ten point type, please contact me. If your newspaper does not have ten point type, please so state and also state the size type actually used in the legal notice in your affidavit.

Please send affidavit of publication and invoice to: Connecticut Siting Council  
10 Franklin Square  
New Britain, CT 06051

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Enclosure (1)